

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

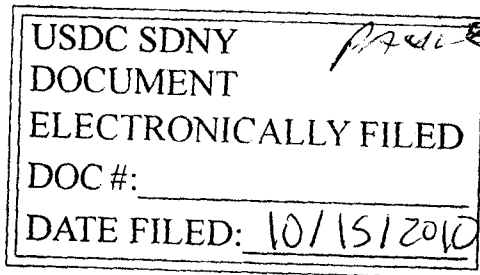
HABITAT FOR HORSES, INC., et al.,

Plaintiffs,

-against-

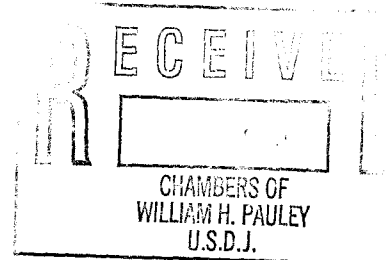
KEN SALAZAR, in his official capacity as  
Secretary, U.S. Department of the Interior;  
et al.,

Defendants.



Civil Action No. 10-cv-7684 (WHP)(KNF)

**ORDER TO SHOW CAUSE FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**



An application for Temporary Restraining Order and Preliminary Injunction pursuant to Federal Rule of Civil Procedure 65 having been made by plaintiffs Habitat for Horses, Inc., American Society of the Prevention of Cruelty to Animals, Inc., The Cloud Foundation, Inc., Toni Moore and Dr. Don Moore (the "Plaintiffs"), and upon review of the Summons and Complaint, the documents and evidence in support of the application, and the exhibits thereto, and notice having been provided to Defendants Ken Salazar, Robert Abbey, and Kent Walter (the "Defendants") thereof, and good and sufficient cause having been shown therefor;

1. ~~IT IS HEREBY ORDERED pursuant to Fed. R. Civ. P. 65 that Defendants and~~  
their employees, agents, servants, representatives, attorneys, and independent contractors  
controlled by Defendants, and all those who receive actual notice by personal notice or  
otherwise:

(A) Hereby are ordered to

~~(1) Cease the removal of any horses from the North Piceance Herd Area; and~~

*WSD* (2) ~~Return any horses to the North Piceance Herd Area who have already been removed;~~

(B) Granting such other and further relief as this Court may deem just and proper.

*hcr*  
*hcr* 2. IT IS FURTHER ORDERED that Defendants show cause to this Court, on the 20<sup>th</sup> day of October, 2010, at 9:45 a.m. of that day in Courtroom 11 D of the United States Courthouse, 500 Pearl Street, New York, New York, or as soon thereafter as counsel can be heard, why Plaintiffs should not be granted a Preliminary Injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure:

(A) Ordering Defendants and their employees, agents, servants, representatives, attorneys, and independent contractors controlled by Defendants, and all those who receive actual notice by personal notice or otherwise, to:

- (1) Cease the removal of any horses from the North Piceance Herd Area; and
- (2) Returning any horses removed from the North Piceance Herd Area to the area from which they were removed;

(B) Granting such other and further relief as this Court may deem just and proper.

*WSD*  
*WSD* ~~Security in the amount of \$ will be paid~~  
3. IT IS FURTHER ORDERED that Defendants shall have until and including

October 18, 2010, at 5:00 p.m. within which to file and serve, by electronic filing, any memoranda of law, declarations or other papers in opposition to Plaintiffs' application for a Temporary Restraining Order and Preliminary Injunction;

4. IT IS FURTHER ORDERED that Plaintiffs shall have until and including

*WSD* October 19, 2010, at 5:00 p.m. within which to file and serve, by electronic filing, any reply memoranda of law, affidavits, or other papers in further support of their application for a Temporary Restraining Order and Preliminary Injunction;

5. IT IS FURTHER ORDERED that service of a copy of this Temporary Restraining Order and Order to Show Cause, together with a copy of the memorandum of law and documents and evidence upon which it is based, shall be due and timely served if service is made upon Defendants on or before 5 o'clock p m. on October 15, 2010, by electronic filing service.

Dated: October 15, 2010  
New York, New York at 4:30 pm.

SO ORDERED:

  
United States District Judge